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JUN 25 2008

U.S. DISTRICT JUDGE  
S.D.N.Y.Allison Caire Aucoin  
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June 25, 2008

**By Facsimile**Honorable Harold Baer, Jr.  
Daniel Patrick Moynihan  
United States Court House  
500 Pearl Street  
Chambers 2230  
New York, New York 10007USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/30/08RE: *Andin International, Inc. v. Yurman Studio, Inc.*  
No. 08 cv 1159 (HB) (KNF)

Dear Judge Baer:

This firm represents Andin International Inc. ("Andin"), the plaintiff in the above-referenced action. We write to clarify Andin's position regarding the schedule extension requested in the letter that Marla Eisland Sprie, counsel for Yurman Studio, Inc. ("Yurman"), submitted to Your Honor earlier today, June 25, 2008.

Put simply, although we seek to extend any professional courtesy to Yurman, we are unable to consent to Yurman's requested schedule extension if doing so will jeopardize Andin's ability to have its summary judgment motion resolved before trial. As Your Honor is aware from Ms. Sprie's letter, the requested extension may result in Your Honor not having sixty (60) days to decide the motion prior to trial. We also note that the current summary judgment schedule was set by Your Honor in an Order on May 14, 2008, so that Yurman should have been able to anticipate the current dilemma. Though we strive to be amenable regarding requests from opposing counsel, under the circumstances we can not agree to the requested schedule change if doing so will jeopardize our client's rights. However, this is Andin's sole protest. If the motion can be resolved within Your Honor's required time frame and prior to the commencement of trial in September, we have no objection to the requested extension.

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Respectfully submitted,

*Allison Caire Aucoin*

Allison Caire Aucoin

cc: Marla Eisland Sprie, Esq. (by electronic mail)

Louis S. Ederer, Esq. (by electronic mail)

Oren J. Warshavsky, Esq. (by electronic mail)

*How can I possibly tell if the motion  
can or cannot " ... be resolved w/in your  
honest time frame" I need certainly  
try but since July is my vacation there is  
no guarantee that the reason for the  
rule I've been sure I can get the  
work done - for faster I must add  
than some of my colleagues &  
thought I'd wait for you to  
try their way - I'm tired*

SO ORDERED:

*Harold Baer, Jr.*  
Harold Baer, Jr., U.S.D.J.

Date:

*6/30/08*

Endorsement:

How can I possibly tell if the motion can or cannot "... be resolved within Your Honor's time frame" I will certainly try but since July is my vacation there is no guaranty, that's the reason for the rule, i.e., being sure I can get the work done - far faster I might add then some of my colleagues and so litigations don't wait for years to try their case. DENIED.